

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	)	Criminal No.	3:24-CR-72 (DNH)
)		
v.	)	Information	
)		
BRANDON WHITFORD,	)	Violations:	18 U.S.C. § 2251(a) & (e)
	)		[Conspiracy to Sexually
Defendant.	)		Exploit a Child]
)		
	)		18 U.S.C. § 2251(a)
	)		[Sexual Exploitation of a
	)		Child]
)		
	)		18 U.S.C. § 2252A(a)(2)(A)
	)		[Distribution of Child
	)		Pornography]
)		
	)		18 U.S.C. § 2252A(a)(2)(A)
	)		[Receipt of Child
	)		Pornography]
)		
	)	4 Counts & Forfeiture Allegation	
)		
	)	County of Offense:	Tompkins

THE UNITED STATES ATTORNEY CHARGES:

COUNT 1
[Conspiracy to Sexually Exploit a Child]

In or about November 2022, in Tompkins County in the Northern District of New York, and elsewhere, the defendant, **BRANDON WHITFORD**, conspired with Co-conspirator A to use V-1, a minor female then approximately four years old whose identity is known to the defendant, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, knowing and having reason to know that such visual depictions would be transported and transmitted using a means and facility of interstate and foreign commerce and in and affecting such commerce, and where the visual depictions would be produced using

materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and where such visual depictions would be actually transported and transmitted using a means and facility of interstate and foreign commerce and in and affecting such commerce, in violation of Title 18, United States Code, Sections 2251(a) & (e).

COUNT 2
[Sexual Exploitation of a Child]

On or about November 6, 2022, in Tompkins County in the Northern District of New York, the defendant, **BRANDON WHITFORD**, did use V-1, a minor female then approximately 4 years old whose identity is known to the defendant, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, knowing and having reason to know that such visual depictions would be transported and transmitted using a means and facility of interstate and foreign commerce and in and affecting such commerce, and where the visual depictions were produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and where such visual depictions were actually transported and transmitted using a means and facility of interstate and foreign commerce and in and affecting such commerce, in violation of Title 18, United States Code Section 2251(a) & (e).

COUNT 3
[Distribution of Child Pornography]

From on or about October 15, 2022, through on or about January 9, 2023, in Tompkins County in the Northern District of New York, the defendant, **BRANDON WHITFORD**, did knowingly distribute child pornography using a means and facility of interstate and foreign commerce, shipped and transported in an affecting such commerce by any means, including by

computer, in that the defendant, using a cellular telephone network and/or a wireless network connected to the internet and a social media messaging application, distributed graphic image and video files depicting one or more minors, including V-1, a minor female then approximately four years old whose identity is known to the defendant, engaged in sexually explicit conduct, in violation of Title 18, United States Code, Section 2252A(a)(2)(A).

COUNT 4
[Receipt of Child Pornography]

From on or about October 15, 2022, through on or about January 9, 2023, in Tompkins County in the Northern District of New York, the defendant, **BRANDON WHITFORD**, did knowingly receive child pornography using a means and facility of interstate and foreign commerce, shipped and transported in an affecting such commerce by any means, including by computer, in that the defendant, using a cellular telephone network and/or a wireless network connected to the internet and a social media messaging application, received graphic image and video files depicting one or more minors engaged in sexually explicit conduct, in violation of Title 18, United States Code, Section 2252A(a)(2)(A).

PRIOR CONVICTION ALLEGATION

The defendant, **BRANDON WHITFORD**, has the following prior final conviction under Chapter 110 of Title 18 of the United States Code:

On or about March 4, 2014, judgment was entered upon the defendant's conviction in the United States District Court for the Eastern District of Michigan of receipt of child pornography, in violation of Title 18, United States Code, Section 2252A(a)(2), a Chapter 110 offense. The defendant was sentenced to 120 months of imprisonment and five years of post-release supervision.

By virtue of this prior conviction, the defendant is subject to the enhanced penalty provisions in Title 18, United States Code, Sections 2251(e) and 2252A(b)(1).

FORFEITURE ALLEGATION

The allegations contained in Counts 1-4 of this information are hereby reallaged and incorporated by reference herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 2253.

Pursuant to Title 18, United States Code, Section 2253(a)(3), upon conviction of the offenses alleged in Counts 1-4 of this information, the defendant, **BRANDON WHITFORD**, shall forfeit to the United States of America any property, real and personal, used and intended to be used to commit and to promote the commission of such offenses, including, but not limited to:

- (1) a Samsung cellular telephone (IMEI: 351347073461889).

Dated: February 21, 2024

CARLA B. FREEDMAN
United States Attorney

By: /S/ Michael D. Gadarian
Michael D. Gadarian
Assistant United States Attorney
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